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2 **UNITED STATES DISTRICT COURT**
3 **CENTRAL DISTRICT OF CALIFORNIA**

4
5 JOSEPH TIERNEY, *et al.*

6 Plaintiffs,

7 v.

8 CAMUTO CONSULTING, INC., *et al.*

9 Defendants.
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11
12

Case No. 2:17-CV-04936-ODW-AGR
Hon. Otis D. Wright, II Presiding

**SUPPLEMENTAL
DECLARATION OF REYOUNG
KIM IN SUPPORT OF MOTION
TO DISMISS PLAINTIFFS' FIRST
AMENDED COMPLAINT, OR IN
THE ALTERNATIVE, TO
TRANSFER VENUE**

13 1. I, REYOUNG KIM, declare that I am over 18 years old and am
14 competent to make the testimony set forth below. Except for those matters stated
15 on information and belief, I have personal knowledge of the following. If called as a
16 witness, I could and would competently testify as follows:

17 2. I am the General Counsel of Camuto Consulting, Inc. d/b/a Camuto
18 Group ("Camuto Consulting"), Vincent Camuto, LLC ("Vincent Camuto"), and
19 Camuto Group, LLC ("Camuto Group") (collectively, "Camuto Entities"), the
20 defendants in this action. I have personal knowledge of the Camuto Entities'
21 business practices and its business records, for which I am a custodian. I make this
22 declaration in support of Defendant's Motion to Dismiss Plaintiffs' First Amended
23 Complaint.

24 3. Vincent Camuto, LLC's registration as a foreign limited liability
25 company in California has been administratively forfeited. *See* printout from
26 California Secretary of State's website attached hereto as Exhibit A.
27

1 4. Camuto Group acquired a majority interest in Sole Society Group, Inc.
2 in or about August 2016 and acquired the remaining interest in or about September
3 2017.

4 5. Camuto Group closed its Los Angeles office in or about March 2016.

5 6. At the time that the allegedly infringing images were posted on
6 www.vincecamuto.com, the Camuto Entities' corporate website and social media
7 accounts, there were two Vince Camuto shoe stores in California operated by a
8 subsidiary of Camuto Group. One in Glendale and one in Santa Clara. The
9 allegedly infringing images were not displayed in either store at any time.

10 7. The Camuto Entities do not request or collect residential addresses of
11 customers who register to receive e-mail blasts or participate in loyalty programs
12 via the e-commerce website, or of those customers who access the Camuto Entities'
13 social media accounts.

14
15 I declare under penalty of perjury under the laws of the States of California
16 and New York and the United States of America that the foregoing is true and
17 correct to the best of my knowledge. Executed on December 18, 2017 at New York,
18 New York.

19
20 By:


Reyoung Kim
Declarant